DEPARTMENT OF PERSONNEL

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MEMO PERD #06/02
January 30, 2002

TO: Agency Personnel Liaisons (with attachment)
            Agency Personnel Representatives (with attachment)

FROM: Jeanne Greene, Director
            Department of Personnel

SUBJECT: MILITARY DIFFERENTIAL PAY

This memo is to inform you that effective February 4, 2002, the emergency regulation and the related procedures for processing military differential pay will change. The emergency regulation will be replaced by a permanent regulation entitling employees to civil leave with reduced pay requiring employees to be in an active status. This change to civil leave is based on a Legislative Council Bureau legal interpretation of our statutory authority. The new regulation amends Chapter 284 of NAC by adding thereto a new section to read as follows:

> *An employee in the public service who performs active military service in the Armed Forces of the United States or any other category of persons designated by the President of the United States or the governor of this state, including, without limitation, the Commissioned Corps of the Public Health Service, in time of war or emergency, is entitled to civil leave with reduced pay pursuant to this subsection for the period of such service. The pay that such an employee is entitled to receive pursuant to this subsection is the difference between the pay he would have otherwise received as a state employee and his pay for active military service. If his pay for active military service is greater than the pay he would have otherwise received as a state employee, the employee will not receive any additional pay pursuant to this subsection while he is in active military service.*

Pursuant to this new section, procedures for processing military differential pay have been revised. The procedures currently in effect shall be applied for any military differential pay

processed for the period of October 12, 2001 through February 03, 2002. The new procedure becomes effective February 04, 2002 (pay period #18) requiring agencies to report military leave without pay on the timesheet using an event code of "UMWLP". The procedure will also require the reversal of military leave without pay hours to civil leave hours based on the amount of military differential pay for the month. Only employees with differential pay are eligible for civil leave hours.

Below you will find the steps required to transition an employee from the old procedure to the new procedure, place a newly activated employee on extended military leave under the new procedure, and record the return of an employee from extended military leave.

Transition from Old Procedure to New Procedure

- Process an ESMT-A with an effective date of February 04, 2002. The ESMT will return employees from leave without pay using action code "RLWP", change the "Emp. Status" to the employee's regular status, and change the pay class to "P80H" for Positive Reporter assuming the employee is not currently in this pay class. Refer to Sample #1 for employees with non-table driven pay and Sample #2 for employees with table driven pay. The positive pay class will prevent an overpayment from occurring in the event that leave without pay on the timesheet is not processed in a timely manner. **It is still necessary to report military leave without pay on the timesheet.** This will allow the Advantage-HR system to credit the employee with service hours on all military leave without pay reported.

- No adjustment to the ESMT-B is required.

- Follow the attached procedure describing how to pay employees on extended military leave the difference between their State pay and their military pay. The procedure further describes how to reverse eligible military leave without pay hours to civil leave hours. Also attached is a revised worksheet to be used for calculating both the military differential pay and civil leave hours.

Place Newly Activated Employee on Extended Military Leave

- Process an ESMT-A (refer to Sample #3) to change the pay class to "P80H" for both table driven and non-table driven employees assuming the employee is not currently in this pay class.

- Process an ESMT-B (refer to Sample #4) to place a code under ATTR (Employee Attributes) in "User Field #2" designating that an employee is on extended military leave. This will provide a mechanism for tracking these employees.

- Follow the attached procedure describing how to pay employees on extended military leave the difference between their State pay and their military pay. The procedure further describes how to reverse eligible military leave without pay hours to civil leave hours. Also attached is a revised worksheet to be used for calculating both the military differential pay and civil leave hours.

Record Return from Extended Military Leave

- If the employee is not a positive reporter, process an ESMT-A (refer to Sample #5) to return them to the correct pay class.

- Process an ESMT-B (refer to Sample #6) to delete the code under ATTR (Employee Attributes) from "User Field #2".

- Proceed with normal processing of timesheets.

Your attention to and compliance with these procedures is greatly appreciated. Should you have questions after reviewing these procedures, please contact Central Records staff for assistance on ESMT processing or the Central Payroll staff member assigned to your agency for timesheet processing.

Thank you.

JG:cp

cc: Department Directors (without attachments)
       Division Administrators (without attachments)